



# TOWN of BROOKLINE

*Massachusetts*

## BUILDING DEPARTMENT

Daniel F. Bennett  
Building Commissioner

### Zoning Board of Appeals Application Procedure

- 1.) Meet with the Chief Building Inspector to determine the nature and extent of relief needed from the **Brookline Zoning By-Law and Board of Appeals (ZBA)** as well as the plans and information required for filing.
- 2.) The initial application for this process is in the form of a **Building Permit** application describing the proposed work **signed by the Owner or Owner's attorney**. The application should be in triplicate along with **three (3)** sets of plans by the architect and/ or Registered Land Surveyor **signed and sealed** by the respective professional. The plan review fee is also required to be paid at the time of application.
- 3.) This office will then generate a letter denying the permit application within thirty (30) days of the submittal. This is known as the "Denial Letter", it will specify the sections of the Zoning By-Law that requires relief. A copy of the letter, along with your application, will be forwarded to the **Town Clerk** and the **Planning Board**.
- 4.) Upon receipt of the denial letter you have thirty (30) days from the date of the letter to file your application to the **Town Clerk** (Clerk to the ZBA). The **Town Clerk's Office** will provide you with the appropriate forms and advise you on fees required (M.G.L. 40A §9).
- 5.) The **Town Clerk** will then refer the application to the **Planning Board** and schedule a public hearing with the **Planning Board** prior to the public hearing in the front of the **ZBA**. The **Town Clerk's Office** will arrange for notification of the abutters within (300) feet of the property and newspaper advertising of the hearings (7) and (14) days prior to the hearing dates (M.G.L. 40A §11).
- 6.) You and your representative **must** attend the **Planning Board** public hearing to present your case. The **Planning Board** will then submit a report with their recommendations to the **ZBA**.
- 7.) You and your representative **must** then attend the **ZBA** public hearing. The **ZBA** will make a decision on your application, in most cases a decision is rendered that night, unless you request a continuance. The decision is written and signed by the board shortly thereafter.
- 8.) The signed decision is then filed with the **Town Clerk's Office** where it is time stamped and a Twenty (20) day appeal period begins to toll (M.G.L. 40A §9). If no appeals are filed in the Twenty (20) calendar days, an attested copy of the decision can be recorded with the property deed at the **Norfolk Registry of Deeds** in Dedham (M.G.L. 40A §11). A copy of that decision stamped by the **Registry of Deeds** is required to be submitted with the **building permit application** to the **Building Department** for the approved project (M.G.L. 40A §11).